

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

**MAGDALENE M. SMOTT and
RYAN M. SMOTT,**

Plaintiffs,

-vs-

No. 02-CV-159-DRH

**MAZDA MOTOR OF AMERICA, INC. and
THE TOKIO MARINE & FIRE INSURANCE
CO., LTD.,**

Defendants.

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This action came to hearing before the Court on Defendants' Motion to Dismiss.

IT IS ORDERED AND ADJUDGED that the Defendants' motion is **GRANTED**. Judgment is entered in favor of Defendants **MAZDA MOTOR OF AMERICA, INC and THE TOKIO MARINE & FIRE INSURANCE CO., LTD.** and against Plaintiffs **MAGDALENE M. SMOTT and RYAN M. SMOTT.**-----

SOFRON B. NEDILSKY, CLERK

November 8th, 2005

By: s/Patricia Brown

Deputy Clerk

APPROVED: /s/ David RHerndon

U.S. DISTRICT JUDGE